

ANIMAL MATTERS **HEARING BOARD**

Prince Frederick, Maryland

MEETING NOTICE

The Animal Matters Hearing Board (AMHB) held its monthly meeting on Wednesday, September 9, 2020, at 6:30 p.m. using a Zoom virtual platform.

Members: Charles A. Bucy

Laurel M. Matthews

Absent Present

Thomas S. Phelps Helen A. Prince

Absent

Present

Karen D. Maxey

Present

Jacque Wisnauskas

Present

Clerk: Francie Rose, Executive Administrative Aide, Public Safety

Staff:

Jacqueline Vaughan, Public Safety Director

Crystal Dowd, Deputy Director of Animal Services, Public Safety Pamela R. Lucas, Associate County Attorney, County Attorney's Office

Danielle Dickerson, Volunteer & Rescue Coordinator, Public Safety, Moderator

OPEN MINUTES

General Business & Administrative Matters

- 1. Meeting was called to order at 6:30 p.m.
- 2. Quorum was determined.
- 3. Open minutes from August 26, 2020 were reviewed and approved unanimously by all members in attendance without comment upon motion by Helen A. Prince, seconded by Jacqueline Wisnauskas.
- 4. Open agenda was reviewed and approved unanimously by all members in attendance without comment upon motion by Laurel M. Matthews, seconded by Jacqueline Wisnauskas.

Hearings:

- 1. Case No. 20-11555 Vasquez/Hernandez Carrie Vasquez appealed her dog, Kopper, being placed on the Potentially Dangerous Animal List as a result of an incident that occurred on February 27, 2020.
 - Present were Timothy Lewis, Animal Control Bite Investigations Officer, and Carrie Vasquez, Appellant. The victim was not present. All parties present were sworn in by the Associate County Attorney during the hearing, prior to providing testimony.
 - Exhibits 1 and 2, received from Carrie Vasquez, were presented for acceptance into the record by the Board. Upon a motion made by Helen A. Prince and seconded by Jacqueline Wisnauskas, the Board voted unanimously to admit all presented exhibits into the record, without further discussion.
 - ACO Lewis submitted the case file for the record and read the account of what happened on February 27, 2020 into the record. The incident occurred at a bus stop location near the home of Ms. Hernandez. The incident was reported to the Animal Control Division on February 27, 2020. On that day, ACO Lewis took a report from Ms. Hernandez, On March 3, 2020, ACO Lewis made contact with Ms. Vasquez and obtained her statement. Ms. Vasquez then gave her account of what occurred. A motion was made, and passed unanimously by all in attendance, to enter into Executive Session to

Animal Matters Hearing Board Open Minutes September 9, 2020 Page 2

deliberate pursuant to the *General Provisions Article*, §3-305(b)(12) of the <u>Annotated Code of Maryland</u>. The Board returned to open session and rendered its decision that the evidence presented and testimony given does not support the finding that Kopper is Potentially Dangerous, and that Kopper should be removed from the Potentially Dangerous Animal List.

- 2. Case No. 20-25967 Dunphy/Sweeney Mr. Dunphy was not present. As a courtesy, he was contacted and respectfully requested a continuance. A continuance was approved unanimously by all board members without comment upon a motion made by Karen D. Maxey and seconded by Jacqueline Wisnauskas. The case will be heard at the next regular meeting, scheduled for October 14, 2020.
- 3. Case No. 20-25307 Mitchell/Mitchell Aundre and Joy Mitchell appealed their dog, Buddy, being placed on the Dangerous Animal List as a result of an incident that occurred on May 18, 2020.
 - Present were Timothy Lewis, Animal Control Bite Investigations Officer, and Joy Mitchell, Appellant. The victim was not present. All parties present were sworn in by the Associate County Attorney during the hearing, prior to providing testimony.
 - ACO Lewis submitted the case file for the record and read the account of what happened on May 18, 2020 into the record. The incident occurred at the Mitchell home, at 11735 Sidewinder Lane, Lusby, Maryland. The incident was reported to the Animal Control Division on May 18, 2020. On that day, ACO Katy Rosche took a report from Ms. Mitchell, and ACO Lewis took a report from Mr. Mitchell. On June 3, 2020, ACO Lewis made contact with Ms. Vasquez and obtained her statement. A Board member had a question for ACO Lewis, and an answer was provided. Ms. Mitchell then gave her account of what occurred. A motion was made, and passed unanimously by all in attendance, to enter into Executive Session to deliberate pursuant to the *General Provisions Article*, §3-305(b)(12) of the Annotated Code of Maryland. The Board returned to open session and rendered its decision that the evidence presented and testimony given supports the finding that Buddy is Dangerous, and that Buddy should remain on the Dangerous Animal List.
- 4. Case No. 20-25711 Gatton/McCoy Emily Gatton appealed her dog, Drake, being placed on the Dangerous Animal List as a result of an incident that occurred on June 4, 2020.
 - Present were Timothy Lewis, Animal Control Bite Investigations Officer, and Emily Gatton, Appellant. The victim was not present. All parties were sworn in by the Associate County Attorney during the hearing, prior to providing testimony.
 - ACO Lewis submitted the case file for the record and read the account of what happened on May 20, 2020 into the record. The incident occurred along Golden West Way, Lusby, Maryland. The incident was reported to the Animal Control Division on May 20, 2020. On that day, ACO Katy Rosche took a report from the victim, Mr. Blake McCoy. On June 2, 2020, ACO Lewis took a report from Ms. Emily Gatton. Ms. Gatton gave her account of what occurred. A Board member asked a question of Ms. Gatton and an answer was provided. A motion was made, and passed unanimously by all in attendance, to enter into Executive Session to deliberate pursuant to the *General Provisions Article*, §3-305(b)(12) of the Annotated Code of Maryland. The Board returned to open session and rendered its decision that the evidence presented and testimony given supports the finding that Drake is a potentially dangerous animal and that Drake should remain on the Potentially Dangerous Animal List.

Old Business

None

New Business

None

Ongoing Business/Other Items for discussion

None

PSA Announcements

None

Announcements

• The AMHB will hold regular monthly meetings on the second Wednesday of each month; this regular schedule has also been duly advertised. Information and agendas for all meetings forward may be found on the AMHB webpage: http://www.co.cal.md.us/index.aspx?nid=2154.

Recess, subject to Motion of Privilege for Closed Meeting:

- Motion made by Laurel M. Matthews at 6:40 p.m., seconded by Jacque Wisnauskas, all board members present in favor, none opposed, to enter into closed session to discuss an investigative proceeding pursuant to *General Provisions Article*, §3-305(b)(12) of the <u>Annotated Code of Maryland</u>. The first closed session was adjourned at 6:44 p.m. and the AMHB returned to open session.
- Motion made by Helen A. Prince at 6:56 p.m., seconded by Jacqueline Wisnauskas, all board members present in favor, none opposed, to enter into closed session to discuss an investigative proceeding pursuant to *General Provisions Article*, §3-305(b)(12) of the <u>Annotated Code of Maryland</u>. The second closed session was adjourned at 7:05 p.m. and the AMHB returned to open session.
- Motion made by Helen A. Prince at 7:16 p.m., seconded by Laurel M. Matthews, all board members present in favor, none opposed, to enter into closed session to discuss an investigative proceeding pursuant to *General Provisions Article*, §3-305(b)(12) of the <u>Annotated Code of Maryland</u>. The third closed session was adjourned at 7:23 p.m. and the AMHB returned to open session.

Adjournment:

Upon motion made by Jacqueline Wisnauskas and seconded by Laurel M. Matthews, the Board voted unanimously by all in attendance to adjourn the regular meeting at 7:29 p.m.

The next regular meeting is scheduled for Wednesday, October 14, 2020	, at 6:30 p.m.
Adopted on the day of 2020 – minutes transcribed by	y Francie Rose.
Signed Thea a Prince	Date Oct 20, 2020
Signed Glatterelle	_ Date 10/29/2000



TO: File

FROM: Frances E. Rose, Clerk to Animal Matters Hearing Board

DATE: September 9, 2020 **SUBJECT:** September 9, 2020

At 6:40 p.m., Wednesday, September 9, 2020, four (4) Animal Matters Hearing Board (AMHB) members present voted to enter into Executive Session to discuss an investigative proceeding on actual or possible criminal conduct pursuant to *General Provisions Article*, §3-305(b)(12) of the Annotated Code of Maryland. The Executive Session was held via a secured Zoom virtual platform.

Those persons attending the closed session included four (4) of the AMHB members present, the Public Safety Director, the Deputy Director of Animal Services, the Clerk to the AMHB, and the Associate County Attorney.

Upon consideration of the evidence and testimony taken at the Dangerous Animal Designation Appeals Hearing, said appeal filed by Carrie Vazquez, a motion was made by Laurel M. Matthews, seconded by Helen A. Prince, and passed unanimously by the AMHB members present, to grant Ms. Vasquez's appeal and remove "Kopper" from the Potentially Dangerous Animal List without further discussion, before recessing at 6:44 p.m. to return to open session.

ANIMAL MATTERS HEARING BOARD

Written Statement for Closing a Meeting under the Open Meetings Act

		56001	nded By: Jacque	-11172 -0.01	
Vote to Close Session:	AYE	NAY	ABSTAIN	ABSENT	ATTENDING
Charles Bucy				×	
Laurel Matthews	X				
Karen Maxey	X				
Thomas Phelps				X	
Helen Prince	X				
Jacque Wisnauskas	X				
Vacant					
(1) Personnel matters: to discuss resignation, or performance expersonnel matter that affects on (2) Privacy or reputation: to prote (3) Real property acquisition: to consider the State; (4) Business location: to consider the State; (5) Investment of public funds: to (6) Marketing of public securities (7) Legal advice: to consult with consider the security of the productive bargaining: to cond (10) Public security: to discuss public security, including: (i) emergency plans; (11) Scholastic, licensing, and example investigate proceeding regard conduct; (13) Other law: to comply with a specifical particular proceeding or matter; (14) Procurement: before a contract of a bid or proposal, if public disbidding or proposal process.	valuation of appointees, the or more specific indicate the privacy or reputations a matter that concerns consider the investment to consider the investment to consider the market ounsel to obtain legal at the consult with staff, out collective bargaining lic security, if the public the deployment of fire mination: to prepare, and ing criminal conduct: the constitutional, states a warded or bids are secussion or disclosure were considered to the constitutional of the secusion or disclosure were considered to the constitutional of the secusion or disclosure were considered to the constitution of the secusion or disclosure were considered to the constitution of the secusion or disclosure were considered to the constitution of the constitution of the secusion or disclosure were considered to the constitution of the con	employees, or offividuals; ation of individuals; ation of individuals of real property for the proposal for a last of public funds; ting of public secur dvice on a legal material material at the proposal for a last of public secur dvice on a legal material for	concerning a matter nor a public purpose and pusiness or industrial continuities; after; and remains a matter that public discussion investigative public imposed requirements a matter directly relationate the ability of the public discussion that the pub	ot related to public matters directly represented to public matters directly represented to local matters directly represented to the negotiate would constitute the development or qualifying examples of the proceeding on act and that prevents purely the development of the development of qualifying examples of the proceeding on act and the prevents purely the development of the prevents purely the process of the prevents purely the process of the prevents purely the prevents purely the prevents purely the prevents purely the prevents of	jurisdiction; or any or business; elated thereto; ate, expand, or remain litigation; tions; a risk to the public or and implementation mination; ual or possible criminal or possible criminal business about strategy or the contention or the competition of the c
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§3-305(b) (12) to conduct or discuss	s an investigative proce	eding on actual or	possible criminal cond	uct. (This violation	n is a
<u>misdemeanor.)</u> §3-305(b) ()					
Additional persons attending close	Jackie Vaughan	n, Public Safe	ety Director, Cryst	al Aved, Dep	Director of Anii
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This statement is made by Kare	Print Name and Ti		ng Officer Kun	Signature	9
****** FOR U	SE IN MINUTES O	OF NEXT REGU	JLAR OPEN MEE	TING *****	*****

Closed Session Meeting Form



TO: File

FROM: Frances E. Rose, Clerk to Animal Matters Hearing Board

DATE: September 9, 2020 **SUBJECT:** September 9, 2020

At 6:56 p.m., Wednesday, September 9, 2020, four (4) Animal Matters Hearing Board (AMHB) members present voted to enter into Executive Session to discuss an investigative proceeding on actual or possible criminal conduct pursuant to *General Provisions Article*, §3-305(b)(12) of the Annotated Code of Maryland. The Executive Session was held via a secured Zoom virtual platform.

Those persons attending the closed session included four (4) of the AMHB members present, the Public Safety Director, The Deputy Director of Animal Services, the Clerk to the AMHB, and the Associate County Attorney.

Upon consideration of the evidence and testimony taken at the Dangerous Animal Designation Appeals Hearing, said appeal filed by Aundre and Joy Mitchell, a motion was made by Helen A. Prince, seconded by Jacqueline Wisnauskas, and passed unanimously by the AMHB members present, to deny Mr. and Mrs. Mitchell's appeal without further discussion, before recessing at 7:05 p.m. to return to open session.

ANIMAL MATTERS HEARING BOARD

Written Statement for Closing a Meeting under the Open Meetings Act

M	nte: <u>G-09-2020</u> Time: <u>6</u>			nded By: Jacqu	reline WZ	mauckan
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	ote to Close Session:	AYE	NAY	ABSTAIN	ABSENT	ATTENDING
C	harles Bucy				X	
L	aurel Matthews	X				
K	aren Maxey	X				
T	homas Phelps				X	
Н	elen Prince	X				
Ja	cque Wisnauskas	X				
V	acant					
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	****** FOR US	E IN MINUTES O	F NEXT REGU	LAR OPEN MEE	IING *****	****

Closed Session Meeting Form



TO: File

FROM: Frances E. Rose, Clerk to Animal Matters Hearing Board

DATE: September 9, 2020 **SUBJECT:** September 9, 2020

At 7:16 p.m., Wednesday, September 9, 2020, four (4) Animal Matters Hearing Board (AMHB) members present voted to enter into Executive Session to discuss an investigative proceeding on actual or possible criminal conduct pursuant to *General Provisions Article*, §3-305(b)(12) of the Annotated Code of Maryland. The Executive Session was held via a secured Zoom virtual platform.

Those persons attending the closed session included four (4) of the AMHB members present, the Public Safety Director, The Deputy Director of Animal Services, the Clerk to the AMHB, and the Associate County Attorney.

Upon consideration of the evidence and testimony taken at the Dangerous Animal Designation Appeals Hearing, said appeal filed by Emily Gatton, a motion was made by Helen A. Prince, seconded by Laurel M. Matthews, and passed unanimously by the AMHB members present, to deny Ms. Gatton's appeal without further discussion, before recessing at 7:23 p.m. to return to open session.

ANIMAL MATTERS HEARING BOARD

Written Statement for Closing a Meeting under the Open Meetings Act

Date: 974-2010 Time: 73		tion: Virtual			
Motion to close meeting by:	elen A. Pri	nce Secon	nded By: Laur	el Matthe	ws
Vote to Close Session:	<u>AYE</u>	NAY	ABSTAIN	ABSENT	ATTENDING
Charles Bucy				×	
Laurel Matthews	X				
Karen Maxey	X				
Thomas Phelps				X	
Helen Prince	X				
Jacque Wisnauskas	X				
Vacant					
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misdemeanor.)					
§3-305(b) ()	blic Safety Drector.	Crystal David De	ep. Director, Animal	Serves, Par	2 Lucas, Associa
Additional persons attending closed	session: County 4th	mey Francie	Pose, Exec.	Admin Are	do .
	D. Maxey, Ch. Print Name and Titl	, i residin	g Officer	Signature	10-1
****** FOR USI	E IN MINUTES O	F NEXT REGU	LAR OPEN MEET	TING ******	******
Time Closed Session Adjourned 7	23 pm				

Closed Session Meeting Form